HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

Writ Petition No. 22047 of 1998

Dated: 30.03.2007

Between:

K. Venkateswara Sastry, S/o Brahmanandam, aged about 52 years, Employee.

.... PETITIONER

AND

The District Collector, Hyderabad District, Hyderabad and one another

.....RESPONDENTS

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

Writ Petition No.22047 of 1998

Order:

The petitioner approached this court with the following prayer:

> "For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue writ of Mandamus to declare the action of the respondents herein in conducting digging operation in plot No. 26 an extent of 215 sq. yards comprising premises bearing No. 8-4-371/B/140, situated in S.No. 128/1 (part)of Yousufguda village, Ameerpet Mandal, Hyderabad District, with a view to make construction thereon, without initiating proceedings under Land Acquisition Act or without following due process of law as illegal, arbitrary and unjust by issuing appropriate writ, order or direction and pass such other order or orders, as may be deemed fit and proper under the circumstances of the case."

As the grievance of the petitioner that the action of digging in his land is without following the due process of law, this court is of the view that this Writ Petition can be disposed of with a direction to the respondents to follow the due process of law before initiating any digging operation. No order as to costs.

GOPALA KRISHNA TAMADA, J.

Date: 30.03.2007
KA